IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9494 OF 2004

M/s.Shakti Tiles Industries .. Petitioner.
Vs.
L.K.Akiwate Audhyogik
Sahakari Vasahat Ltd. .. Respondent.

Mr.A.B.Borkar for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 7TH DECEMBER, 2004

P.C.:

. Heard Mr.Borkar, learned counsel for the petitioner.

2. After arguing this petition for sometime and having realised that I was not inclined to interfere with the order impugned in the present writ petition, Mr.Borkar, learned counsel for the petitioner prayed for further extension of time to deposit the amount as per the impugned order dated 9.9.2004. Considering the nature of controversy involved in the instant proceedings and the impugned order I am satisfied that the following order would meet the ends of justice:

(a) The petitioner to deposit Rs.1,00,000/- within 10 days from today and remaining amount within a period of eight weeks therefrom failing which the respondents will be entitle to execute the impugned judgment and order dated 9.9.2004.

(b) Mr.Borkar, learned counsel for the petitioner on instructions, states that the petitioner shall not part with possession or create third party rights in the property in dispute without permission of the Co-operative Appellate Court, who is seized of the Co-operative Appeal No.133 of 2004. His statement is accepted.

. The petition is disposed of.

(D.B.Bhosale, J.)